

RULE ANALYSIS

Introduction: THE AMENDMENTS ARE SUBMITTED TO THE BOARD FOR CONSIDERATION AS AN ADOPTED RULE

Short Title: Personnel

Rule Numbers: §291.32

Statutory Authority: Texas Pharmacy Act, Chapter 551-566 and 568-569, Occupations Code:

- (1) Section 551.002 specifies that the purpose of the Act is to protect the public through the effective control and regulation of the practice of pharmacy; and
- (2) Section 554.051 gives the Board the authority to adopt rules for the proper administration and enforcement of the Act.

Purpose: The amendments, if adopted, clarify the requirements for dispensing a prescription are the same for a pharmacist and for an intern; and clarify that the dispensing process includes the transfer of a prescription.

The Board reviewed and voted to propose the amendments during the May 6, 2014, meeting. The proposed amendments were published in the June 13, 2014, issue of the *Texas Register* at 39 TexReg 4597.

1 **SUBCHAPTER B. COMMUNITY PHARMACY (CLASS A)**

2

3 **22 TAC §§291.31 - 291.34**

4 The Texas State Board of Pharmacy proposes amendments to §291.31, concerning Definitions;
5 §291.32, concerning Personnel; §291.33, concerning Operational Standards; and §291.34,
6 concerning Records.

7 The proposed amendments to §291.31, if adopted, implement provisions of Senate Bill (SB) 406
8 passed by the 83rd Texas Legislature to update the reference to advance practice registered
9 nurses and eliminate the reference to "carry out" an order. The proposed amendments to §291.32,
10 if adopted, clarify that the requirements for dispensing a prescription are the same for a
11 pharmacist and for an intern and eliminate references to sterile compounding that are no longer
12 necessary. The proposed amendments to §291.33, if adopted, implement the provisions of SB
13 869 passed by the 83rd Texas Legislature to eliminate the requirement for the pharmacist to
14 notify the prescriber of a substitution of dosage form. The proposed amendments to §291.34, if
15 adopted, implement provisions of SB 406 passed by the 83rd Texas Legislature to update the
16 reference to advance practice registered nurses.

17 Gay Dodson, R.Ph., Executive Director/Secretary, has determined that, for the first five-year
18 period the rule is in effect, there will be no fiscal implications for state or local government as a
19 result of enforcing or administering the rules. There will be no anticipated cost to individuals.

20 Ms. Dodson has determined that, for each year of the first five-year period the rules will be in
21 effect, the public benefit anticipated as a result of enforcing the amendments will ensure the
22 appropriate reference to advance practice registered nurses; ensure pharmacists and pharmacy
23 interns are responsible for the dispensing of prescriptions; eliminate the requirement for
24 pharmacists to notify prescribers of a substitution of dosage form; and eliminate references to
25 sterile compounding that are no longer necessary.

26 Written comments on the amendments may be submitted to Allison Benz, R.Ph., M.S., Director
27 of Professional Services, Texas State Board of Pharmacy, 333 Guadalupe Street, Suite 3-600,
28 Austin, Texas 78701, fax (512) 305-8008. Comments must be received by 5:00 p.m., July 31,
29 2014.

30 The amendments are proposed under §551.002 and §554.051 of the Texas Pharmacy Act
31 (Chapters 551 - 566, 568 and 569, Texas Occupations Code). The Board interprets §551.002 as
32 authorizing the agency to protect the public through the effective control and regulation of the
33 practice of pharmacy. The Board interprets §554.051(a) as authorizing the agency to adopt rules
34 for the proper administration and enforcement of the Act.

35 The statutes affected by these amendments: Texas Pharmacy Act, Chapters 551 - 566, 568 and
36 569, Texas Occupations Code.

37 **§291.31. Definitions.**

38 The following words and terms, when used in this subchapter, shall have the following
39 meanings, unless the context clearly indicates otherwise.

40 (1) - (2) (No change.)

41 (3) Advanced practice registered nurse--A registered nurse licensed [~~approved~~] by the Texas
42 Board of Nursing to practice as an advanced practice registered nurse on the basis of completion
43 of an advanced education program. The term includes nurse practitioner, nurse midwife, nurse
44 anesthetist, and clinical nurse specialist. The term is synonymous with advanced nurse
45 practitioner and advanced practice nurse.

46 (4) - (8) (No change.)

47 ~~{(9) Carrying out or signing a prescription drug order--The completion of a prescription drug~~
48 ~~order presigned by the delegating physician, or the signing of a prescription by an advanced~~
49 ~~practice nurse or physician assistant after the person has been designated with the Texas Medical~~
50 ~~Board by the delegating physician as a person delegated to sign a prescription. As specified in~~
51 ~~§157.056, of the Occupations Code, the following information must be provided on each~~
52 ~~prescription:}~~

53 ~~{(A) patient's name and address;}~~

54 ~~{(B) the drug to be dispensed including the name, strength, and quantity of the drug;}~~

55 ~~{(C) directions to the patient regarding the taking of the drug and the dosage;}~~

56 ~~{(D) the intended use of the drug, if appropriate;}~~

57 ~~{(E) the name, address, and telephone number of the physician;}~~

58 ~~{(F) the name, address, telephone number, identification number, and if the prescription is for a~~
59 ~~controlled substance, the DEA number of the advanced practice nurse or physician assistant~~
60 ~~completing the prescription drug order;}~~

61 ~~{(G) the date; and}~~

62 ~~{(H) the number of refills permitted.}~~

63 (9) ~~[(10)]~~ Confidential record--Any health-related record that contains information that identifies
64 an individual and that is maintained by a pharmacy or pharmacist, such as a patient medication
65 record, prescription drug order, or medication order.

66 (10) ~~[(11)]~~ Controlled substance--A drug, immediate precursor, or other substance listed in
67 Schedules I - V or Penalty Groups 1-4 of the Texas Controlled Substances Act, as amended, or a
68 drug, immediate precursor, or other substance included in Schedules I, II, III, IV, or V of the

69 Federal Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended (Public
70 Law 91-513).

71 (11) [~~(12)~~] Dangerous drug--A drug or device that:

72 (A) is not included in Penalty Group 1, 2, 3, or 4, Chapter 481, Health and Safety Code, and is
73 unsafe for self-medication; or

74 (B) bears or is required to bear the legend:

75 (i) "Caution: federal law prohibits dispensing without prescription" or "Rx only" or another
76 legend that complies with federal law; or

77 (ii) "Caution: federal law restricts this drug to use by or on the order of a licensed veterinarian."

78 (12) [~~(13)~~] Data communication device--An electronic device that receives electronic
79 information from one source and transmits or routes it to another (e.g., bridge, router, switch or
80 gateway).

81 (13) [~~(14)~~] Deliver or delivery--The actual, constructive, or attempted transfer of a prescription
82 drug or device or controlled substance from one person to another, whether or not for a
83 consideration.

84 (14) [~~(15)~~] Designated agent--

85 (A) a licensed nurse, physician assistant, pharmacist, or other individual designated by a
86 practitioner to communicate prescription drug orders to a pharmacist;

87 (B) a licensed nurse, physician assistant, or pharmacist employed in a health care facility to
88 whom the practitioner communicates a prescription drug order;

89 (C) an advanced practice registered nurse or physician assistant authorized by a practitioner to
90 carry out or sign a prescription drug order for dangerous drugs under Chapter 157 of the Medical
91 Practice Act (Subtitle B, Occupations Code); or

92 (D) a person who is a licensed vocational nurse or has an education equivalent to or greater than
93 that required for a licensed vocational nurse designated by the practitioner to communicate
94 prescriptions for an advanced practice registered nurse or physician assistant authorized by the
95 practitioner to sign prescription drug orders under Chapter 157 of the Medical Practice Act
96 (Subtitle B, Occupations Code).

97 (15) [~~(16)~~] Dispense--Preparing, packaging, compounding, or labeling for delivery a prescription
98 drug or device in the course of professional practice to an ultimate user or his agent by or
99 pursuant to the lawful order of a practitioner.

100 (16) [~~(17)~~] Dispensing error--An action committed by a pharmacist or other pharmacy personnel
101 that causes the patient or patient's agent to take possession of a dispensed prescription drug and
102 an individual subsequently discovers that the patient has received an incorrect drug product,
103 which includes incorrect strength, incorrect dosage form, and/or incorrect directions for use.

104 (17) [~~(18)~~] Dispensing pharmacist--The pharmacist responsible for the final check of the
105 dispensed prescription before delivery to the patient.

106 (18) [~~(19)~~] Distribute--The delivery of a prescription drug or device other than by administering
107 or dispensing.

108 (19) [~~(20)~~] Downtime--Period of time during which a data processing system is not operable.

109 (20) [~~(21)~~] Drug regimen review--An evaluation of prescription drug orders and patient
110 medication records for:

111 (A) known allergies;

112 (B) rational therapy-contraindications;

113 (C) reasonable dose and route of administration;

114 (D) reasonable directions for use;

115 (E) duplication of therapy;

116 (F) drug-drug interactions;

117 (G) drug-food interactions;

118 (H) drug-disease interactions;

119 (I) adverse drug reactions; and

120 (J) proper utilization, including overutilization or underutilization.

121 (21) [~~(22)~~] Electronic prescription drug order--A prescription drug order that is generated on an
122 electronic application and transmitted as an electronic data file.

123 (22) [~~(23)~~] Electronic signature--A unique security code or other identifier which specifically
124 identifies the person entering information into a data processing system. A facility which utilizes
125 electronic signatures must:

126 (A) maintain a permanent list of the unique security codes assigned to persons authorized to use
127 the data processing system; and

128 (B) have an ongoing security program which is capable of identifying misuse and/or
129 unauthorized use of electronic signatures.

130 (23) [~~(24)~~] Full-time pharmacist--A pharmacist who works in a pharmacy from 30 to 40 hours
131 per week or, if the pharmacy is open less than 60 hours per week, one-half of the time the
132 pharmacy is open.

133 (24) [~~(25)~~] Hard copy--A physical document that is readable without the use of a special device.

134 (25) [~~(26)~~] Hot water--The temperature of water from the pharmacy's sink maintained at a
135 minimum of 105 degrees F (41 degrees C).

136 (26) [~~(27)~~] Medical Practice Act--The Texas Medical Practice Act, Subtitle B, Occupations
137 Code, as amended.

138 (27) [~~(28)~~] Medication order--A written order from a practitioner or a verbal order from a
139 practitioner or his authorized agent for administration of a drug or device.

140 (28) [~~(29)~~] New prescription drug order--A prescription drug order that:

141 (A) has not been dispensed to the patient in the same strength and dosage form by this pharmacy
142 within the last year;

143 (B) is transferred from another pharmacy; and/or

144 (C) is a discharge prescription drug order. (Note: furlough prescription drug orders are not
145 considered new prescription drug orders.)

146 (29) [~~(30)~~] Original prescription--The:

147 (A) original written prescription drug order; or

148 (B) original verbal or electronic prescription drug order reduced to writing either manually or
149 electronically by the pharmacist.

150 (30) [~~(31)~~] Part-time pharmacist--A pharmacist who works less than full-time.

151 (31) [~~(32)~~] Patient med-pak--A package prepared by a pharmacist for a specific patient
152 comprised of a series of containers and containing two or more prescribed solid oral dosage
153 forms. The patient med-pak is so designed or each container is so labeled as to indicate the day
154 and time, or period of time, that the contents within each container are to be taken.

155 (32) [~~(33)~~] Patient counseling--Communication by the pharmacist of information to the patient or
156 patient's agent in order to improve therapy by ensuring proper use of drugs and devices.

157 (33) [~~(34)~~] Pharmaceutical care--The provision of drug therapy and other pharmaceutical
158 services intended to assist in the cure or prevention of a disease, elimination or reduction of a
159 patient's symptoms, or arresting or slowing of a disease process.

160 (34) [~~(35)~~] Pharmacist-in-charge--The pharmacist designated on a pharmacy license as the
161 pharmacist who has the authority or responsibility for a pharmacy's compliance with laws and
162 rules pertaining to the practice of pharmacy.

163 (35) [~~(36)~~] Pharmacy technician--An individual who is registered with the board as a pharmacy
164 technician and whose responsibility in a pharmacy is to provide technical services that do not
165 require professional judgment regarding preparing and distributing drugs and who works under
166 the direct supervision of and is responsible to a pharmacist.

167 (36) [~~(37)~~] Pharmacy technician trainee--An individual who is registered with the board as a
168 pharmacy technician trainee and is authorized to participate in a pharmacy's technician training
169 program.

170 (37) [~~(38)~~] Physician assistant--A physician assistant recognized by the Texas Medical Board as
171 having the specialized education and training required under Subtitle B, Chapter 157,
172 Occupations Code, and issued an identification number by the Texas Medical Board.

173 (38) [~~(39)~~] Practitioner--

174 (A) a person licensed or registered to prescribe, distribute, administer, or dispense a prescription
175 drug or device in the course of professional practice in this state, including a physician, dentist,
176 podiatrist, or veterinarian but excluding a person licensed under this Act;

177 (B) a person licensed by another state, Canada, or the United Mexican States in a health field in
178 which, under the law of this state, a license holder in this state may legally prescribe a dangerous
179 drug;

180 (C) a person practicing in another state and licensed by another state as a physician, dentist,
181 veterinarian, or podiatrist, who has a current federal Drug Enforcement Administration
182 registration number and who may legally prescribe a Schedule II, III, IV, or V controlled
183 substance, as specified under Chapter 481, Health and Safety Code, in that other state; or

184 (D) an advanced practice registered nurse or physician assistant to whom a physician has
185 delegated the authority to carry out or sign prescription drug orders under §§157.0511, 157.052,
186 157.053, 157.054, 157.0541, or 157.0542, Occupations Code, or, for the purpose of this
187 subchapter, a pharmacist who practices in a hospital, hospital-based clinic, or an academic health
188 care institution and a physician has delegated the authority to sign a prescription for a dangerous
189 drug under §157.101, Occupations Code.

190 (39) [~~(40)~~] Prepackaging--The act of repackaging and relabeling quantities of drug products from
191 a manufacturer's original commercial container into a prescription container for dispensing by a
192 pharmacist to the ultimate consumer.

193 ~~(40)~~~~(41)~~ Prescription department--The area of a pharmacy that contains prescription drugs.

194 (41) ~~(42)~~ Prescription drug--

195 (A) a substance for which federal or state law requires a prescription before the substance may be
196 legally dispensed to the public;

197 (B) a drug or device that under federal law is required, before being dispensed or delivered, to be
198 labeled with the statement:

199 (i) "Caution: federal law prohibits dispensing without prescription" or "Rx only" or another
200 legend that complies with federal law; or

201 (ii) "Caution: federal law restricts this drug to use by or on the order of a licensed veterinarian";
202 or

203 (C) a drug or device that is required by federal or state statute or regulation to be dispensed on
204 prescription or that is restricted to use by a practitioner only.

205 (42) ~~(43)~~ Prescription drug order--

206 (A) a written order from a practitioner or a verbal order from a practitioner or his authorized
207 agent to a pharmacist for a drug or device to be dispensed; or

208 (B) a written order or a verbal order pursuant to Subtitle B, Chapter 157, Occupations Code.

209 (43) ~~(44)~~ Prospective drug use review--A review of the patient's drug therapy and prescription
210 drug order or medication order prior to dispensing or distributing the drug.

211 (44) ~~(45)~~ State--One of the 50 United States of America, a U.S. territory, or the District of
212 Columbia.

213 (45) ~~(46)~~ Texas Controlled Substances Act--The Texas Controlled Substances Act, Health and
214 Safety Code, Chapter 481, as amended.

215 (46) ~~(47)~~ Written protocol--A physician's order, standing medical order, standing delegation
216 order, or other order or protocol as defined by rule of the Texas Medical Board under the Texas
217 Medical Practice Act.

218 **§291.32. Personnel.**

219 (a) - (b) (No change.)

220 (c) Pharmacists.

221 (1) General.

222 (A) - (E) (No change.)

223 (F) A dispensing pharmacist shall be responsible for and ensure that the drug is dispensed and
224 delivered safely, and accurately as prescribed, unless the pharmacy's data processing system can
225 record the identity of each pharmacist involved in a specific portion of the dispensing processing.
226 If the system can track the identity of each pharmacist involved in the dispensing process, each
227 pharmacist involved in the dispensing process shall be responsible for and ensure that the portion
228 of the process the pharmacist is performing results in the safe and accurate dispensing and
229 delivery of the drug as prescribed. The dispensing process shall include, but not be limited to,
230 drug regimen review and verification of accurate prescription data entry, including data entry of
231 prescriptions placed on hold, packaging, preparation, compounding, transferring, and labeling,
232 and performance of the final check of the dispensed prescription. An intern has the same
233 responsibilities described in this subparagraph as a pharmacist but must perform his or her duties
234 under the supervision of a pharmacist.

235 (2) (No change.)

236 (3) Special requirements for compounding.

237 ~~[(A) [Non-Sterile Preparations.] All pharmacists engaged in compounding non-sterile~~
238 ~~preparations shall meet the training requirements specified in §291.131 of this title (relating to~~
239 ~~Pharmacies Compounding Non-Sterile Preparations).~~

240 ~~[(B) Sterile Preparations. All pharmacists engaged in compounding sterile preparations shall~~
241 ~~meet the training requirements specified in §291.133 of this title (relating to Pharmacies~~
242 ~~Compounding Sterile Preparations).]~~

243 (d) Pharmacy Technicians and Pharmacy Technician Trainees.

244 (1) General.

245 (A) All pharmacy technicians and pharmacy technician trainees shall meet the training
246 requirements specified in §297.6 of this title (relating to Pharmacy Technician and Pharmacy
247 Technician Trainee Training).

248 (B) Special requirements for compounding.

249 ~~[(i) [Non-Sterile Preparations.] All pharmacy technicians and pharmacy technician trainees~~
250 ~~engaged in compounding non-sterile preparations shall meet the training requirements specified~~
251 ~~in §291.131 of this title.~~

252 ~~[(ii) Sterile Preparations. All pharmacy technicians and pharmacy technician trainees engaged in~~
253 ~~compounding sterile preparations shall meet the training requirements specified in §291.133 of~~
254 ~~this title.]~~

255 (2) Duties.

- 256 (A) - (B) (No change.)
- 257 (C) Pharmacy technicians and pharmacy technician trainees may perform only nonjudgmental
258 technical duties associated with the preparation and distribution of prescription drugs, as follows:
- 259 (i) initiating and receiving refill authorization requests;
- 260 (ii) entering prescription data into a data processing system;
- 261 (iii) taking a stock bottle from the shelf for a prescription;
- 262 (iv) preparing and packaging prescription drug orders (i.e., counting tablets/capsules, measuring
263 liquids and placing them in the prescription container);
- 264 (v) affixing prescription labels and auxiliary labels to the prescription container;
- 265 (vi) reconstituting medications;
- 266 (vii) prepackaging and labeling prepackaged drugs;
- 267 (viii) loading bulk unlabeled drugs into an automated dispensing system provided a pharmacist
268 verifies that the system is properly loaded prior to use;
- 269 (ix) compounding non-sterile [~~and sterile~~] prescription drug orders; and
- 270 (x) compounding bulk non-sterile preparations.
- 271 (3) (No change.)
- 272 (e) (No change.)
- 273 *§291.33.Operational Standards.*
- 274 (a) - (b) (No change.)
- 275 (c) Prescription dispensing and delivery.
- 276 (1) - (3) (No change.)
- 277 (4) Substitution of dosage form.
- 278 (A) As specified in §562.012 [~~§562.002~~] of the Act, a pharmacist may dispense a dosage form
279 of a drug product different from that prescribed, such as a tablet instead of a capsule or liquid
280 instead of tablets, provided:
- 281 (i) the patient consents to the dosage form substitution; and

282 ~~[(ii) the pharmacist notifies the practitioner of the dosage form substitution; and]~~
283 (ii) ~~[(iii)]~~ the dosage form so dispensed:
284 (I) contains the identical amount of the active ingredients as the dosage prescribed for the
285 patient;
286 (II) is not an enteric-coated or time release product;
287 (III) does not alter desired clinical outcomes;
288 (B) Substitution of dosage form may not include the substitution of a product that has been
289 compounded by the pharmacist unless the pharmacist contacts the practitioner prior to dispensing
290 and obtains permission to dispense the compounded product.
291 (5) - (8) (No change.)
292 (d) - (i) (No change.)
293 **§291.34.Records.**
294 (a) (No change.)
295 (b) Prescriptions.
296 (1) (No change.)
297 (2) Written prescription drug orders.
298 (A) - (C) (No change.)
299 (D) Prescription drug orders carried out or signed by an advanced practice registered nurse,
300 physician assistant, or pharmacist.
301 (i) A pharmacist may dispense a prescription drug order that is:
302 (I) ~~carried out or~~ signed by an advanced practice registered nurse or physician assistant
303 provided the advanced practice registered nurse or physician assistant is practicing in accordance
304 with Subtitle B, Chapter 157, Occupations Code;^[7] and
305 (II) for a dangerous drug and signed by a pharmacist under delegated authority of a physician as
306 specified in Subtitle B, Chapter 157, Occupations Code.
307 (ii) Each practitioner shall designate in writing the name of each advanced practice registered
308 nurse or physician assistant authorized to ~~carry out or~~ sign a prescription drug order pursuant to
309 Subtitle B, Chapter 157, Occupations Code. A list of the advanced practice registered nurses or

310 physician assistants designated by the practitioner must be maintained in the practitioner's usual
311 place of business. On request by a pharmacist, a practitioner shall furnish the pharmacist with a
312 copy of the written authorization for a specific advanced practice registered nurse or physician
313 assistant.

314 (E) (No change.)

315 (3) - (6) (No change.)

316 (7) Prescription drug order information.

317 (A) All original prescriptions shall bear:

318 (i) name of the patient, or if such drug is for an animal, the species of such animal and the name
319 of the owner;

320 (ii) address of the patient, provided, however, a prescription for a dangerous drug is not required
321 to bear the address of the patient if such address is readily retrievable on another appropriate,
322 uniformly maintained pharmacy record, such as medication records;

323 (iii) name, address and telephone number of the practitioner at the practitioner's usual place of
324 business, legibly printed or stamped and if for a controlled substance, the DEA registration
325 number of the practitioner;

326 (iv) name and strength of the drug prescribed;

327 (v) quantity prescribed numerically and if for a controlled substance:

328 (I) numerically, followed by the number written as a word, if the prescription is written;

329 (II) numerically, if the prescription is electronic; or

330 (III) if the prescription is communicated orally or telephonically, as transcribed by the receiving
331 pharmacist;

332 (vi) directions for use;

333 (vii) intended use for the drug unless the practitioner determines the furnishing of this
334 information is not in the best interest of the patient;

335 (viii) date of issuance;

336 (ix) if a faxed prescription:

337 (I) a statement that indicates that the prescription has been faxed (e.g., Faxed to); and

338 (II) if transmitted by a designated agent, the name of the designated agent;

339 (x) if electronically transmitted:

340 (I) the date the prescription drug order was electronically transmitted to the pharmacy, if
341 different from the date of issuance of the prescription; and

342 (II) if transmitted by a designated agent, the name of the designated agent; and

343 (xi) if issued by an advanced practice registered nurse or physician assistant in accordance with
344 Subtitle B, Chapter 157, Occupations Code the:

345 (I) name, address, telephone number, and if the prescription is for a controlled substance, the
346 DEA number of the supervising practitioner; and

347 (II) address and telephone number of the clinic where the prescription drug order was carried out
348 or signed.

349 (B) (No change.)

350 (8) - (10) (No change.)

351 (c) - (d) (No change.)

352 (e) Prescription drug order records maintained in a data processing system.

353 (1) (No change.)

354 (2) Records of dispensing.

355 (A) - (B) (No change.)

356 (C) The data processing system shall have the capacity to produce a daily hard copy printout of
357 all original prescriptions dispensed and refilled. This hard copy printout shall contain the
358 following information:

359 (i) unique identification number of the prescription;

360 (ii) date of dispensing;

361 (iii) patient name;

362 (iv) prescribing practitioner's name; and the supervising physician's name if the prescription was
363 issued by an advanced practice registered nurse, physician assistant or pharmacist;

364 (v) name and strength of the drug product actually dispensed; if generic name, the brand name or
365 manufacturer of drug dispensed;

366 (vi) quantity dispensed;

367 (vii) initials or an identification code of the dispensing pharmacist;

368 (viii) initials or an identification code of the pharmacy technician or pharmacy technician trainee
369 performing data entry of the prescription, if applicable;

370 (ix) if not immediately retrievable via computer display, the following shall also be included on
371 the hard copy printout:

372 (I) patient's address;

373 (II) prescribing practitioner's address;

374 (III) practitioner's DEA registration number, if the prescription drug order is for a controlled
375 substance;

376 (IV) quantity prescribed, if different from the quantity dispensed;

377 (V) date of issuance of the prescription drug order, if different from the date of dispensing; and

378 (VI) total number of refills dispensed to date for that prescription drug order; and

379 (x) any changes made to a record of dispensing.

380 (D) - (K) (No change.)

381 (3) (No change.)

382 (f) - (l) (No change.)

383 The agency certifies that legal counsel has reviewed the proposal and found it to be within the
384 state agency's legal authority to adopt.

385 Filed with the Office of the Secretary of State on May 30, 2014.

386 TRD-201402546

387 Gay Dodson, R.Ph.

388 Executive Director

389 Texas State Board of Pharmacy

390 Earliest possible date of adoption: July 13, 2014

391 For further information, please call: (512) 305-8073

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